



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 1732

EXAMINER:

APPLICANT: Diane L. Peterson

SERIAL NO.: 10/815,459

FILED: March 31, 2004

CONFIRM. NO.: 6397

FOR: DEVICE AND METHOD FOR  
LAYERED MEMORY OBJECTS

ATTORNEY DOCKET NO. 21910.NP

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF PATENT  
APPLICATION Filing Date  
Granted**

|   |                |
|---|----------------|
| CERTIFICATE OF MAILING<br>UNDER 37 C.F.R. § 1.8   |                |
| DATE OF DEPOSIT: 8/24/04  |                |
| I hereby certify that this paper or fee (along<br>with any paper or fee referred to as being<br>attached or enclosed) is being deposited with the<br>United States Postal Service with sufficient<br>postage as first class mail on the date indicated<br>above and is addressed to: Mail Stop Missing<br>Parts, Commissioner for Patents, P.O. Box 1450,<br>Alexandria, VA 22313-1450. |                |
|   | Steve M. Perry |

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Notice to File Missing Parts of Application mailed June 24, 2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- Applicant claims small entity status under 37 CFR 1.9(b) & 1.27(c).
- An Assignment from the inventors to Atitania Ltd..
- Declaration and Petition.
- Power of Attorney.
- Prior Art Statement, Form PTO-1449, and copies of cited prior art.
- A Petition for a \_\_\_\_\_-Month Extension of Time Under 37 CFR 1.136(a).

Response To Notice To File Missing Parts Of Patent Application  
Page 2

The filing fee has been calculated as shown below.

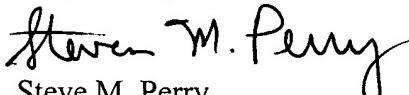
| FOR  | NO. FILED     | NO.<br>EXTRA | SMALL ENTITY |                  | OTHER THAN A SMALL<br>ENTITY |     |
|--|---------------|--------------|--------------|------------------|------------------------------|-----|
|  |               |              | RATE         | Fee              | RATE                         | Fee |
| <b>BASIC FEE</b>                               |               |              | \$385.00     | \$385.00         | \$770.00                     |     |
| <b>TOT. CLAIMS</b>                             | <b>44-20=</b> | <b>24</b>    | x \$ 9.00 =  | \$ 216.00        | x \$18.00 =                  |     |
| <b>IND. CLAIMS</b>                             | <b>6-03=</b>  | <b>3</b>     | x \$43.00 =  | \$ 129.00        | x \$86.00 =                  |     |
| <b>MULTIPLE DEPENDENT<br/>CLAIMS PRESENTED</b> |               | <b>0</b>     | \$145.00     |                  | \$290.00                     |     |
| <b>ASSIGNMENT FILING FEE</b>                   |               |              | \$40.00      | \$40.00          | \$40.00                      |     |
| <b>SURCHARGE FEE</b>                           |               |              | \$65.00      | \$65.00          | \$130.00                     |     |
|  |               |              | <b>TOTAL</b> | <b>\$ 835.00</b> | <b>TOTAL</b>                 |     |

A check in the amount of \$ 835.00 is enclosed to cover the filing fee (including the surcharge fee and the assignment recordation fee).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 24<sup>th</sup> day of August, 2004.

Respectfully submitted,



Steve M. Perry  
Attorney for Applicant  
Registration No. 45,357

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SMP/sbh

Enclosure

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/815,459         | 03/31/2003             | Diane L. Peterson     | 21910.NP               |

## CONFIRMATION NO. 6397

20551  
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SANDY, UT 84070

## FORMALITIES LETTER



\*OC000000013051967\*

Date Mailed: 06/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$345** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$795** for a Small Entity

|                                       |        |    |
|---------------------------------------|--------|----|
| 08/30/2004 FFANAIAR 00000017 10815459 | 385.00 | OP |
| 02 FC:2001                            | 65.00  | OP |
| 03 FC:2001                            | 129.00 | OP |
| 04 FC:2201                            | 216.00 | OP |
| 05 FC:2202                            |        |    |

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$345**

- **\$129** for **3** independent claims over **3**.
- **\$216** for **24** total claims over **20**.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE